



LawWorks Clinic Network Roundtable

June 27th, Herbert Smith Freehills

**Case Studies: How we obtain and use case studies
in policy and practice**





LawWorks monitoring and impact projects

- **Clinics monitoring information** – data collection (see Clinics Report 2018)
- **Better Information (client feedback) project** - good quality information to help us understand client experiences and tell clients' stories

<https://www.lawworks.org.uk/solicitors-and-volunteers/resources/clinic-resources/monitoring-and-impact>

- **Case studies collection** – template forms with “top tips”

<https://www.lawworks.org.uk/solicitors-and-volunteers/get-involved/case-study-centre>





Client feedback process

1. Clinics were invited to take part
2. Clinic colleagues asked clients if they would like to participate
3. Clients gave their informed consent and contact details
4. Clinics returned these forms securely
5. Clients were contacted at least six weeks later by our research agency (BMG)
6. Client “comments” were collected in addition to responses as basis of case studies





Client feedback - who took part?



75 clinics agreed to take part

95% confidence level with a 6.8% margin of error



32 clinics actually submitted forms



993 clients gave informed consent



209 clients completed calls



Marilyn

Mentally and emotionally,
it's helped me a lot

It's really extremely
helpful to me

I feel more confident

I couldn't plan anything
about when I was going
to see my children

since I met this lady and
she's discussed things with
me and given me a plan

that was always going
through my mind

I was going to have to quit
my education



sometimes I cried

George

I was in a situation with very high critical levels of stress, and just being able to talk through my situation and have a level of understanding of it, and understanding my rights was fantastic

it helped me to sleep better and allowed me to feel more energised

Having the time to speak and describe the situation, and also the patience with which the specialists completed the clinic and gave their advice, that really helped

For my mental health, a very good positive impact; and for my physical health...



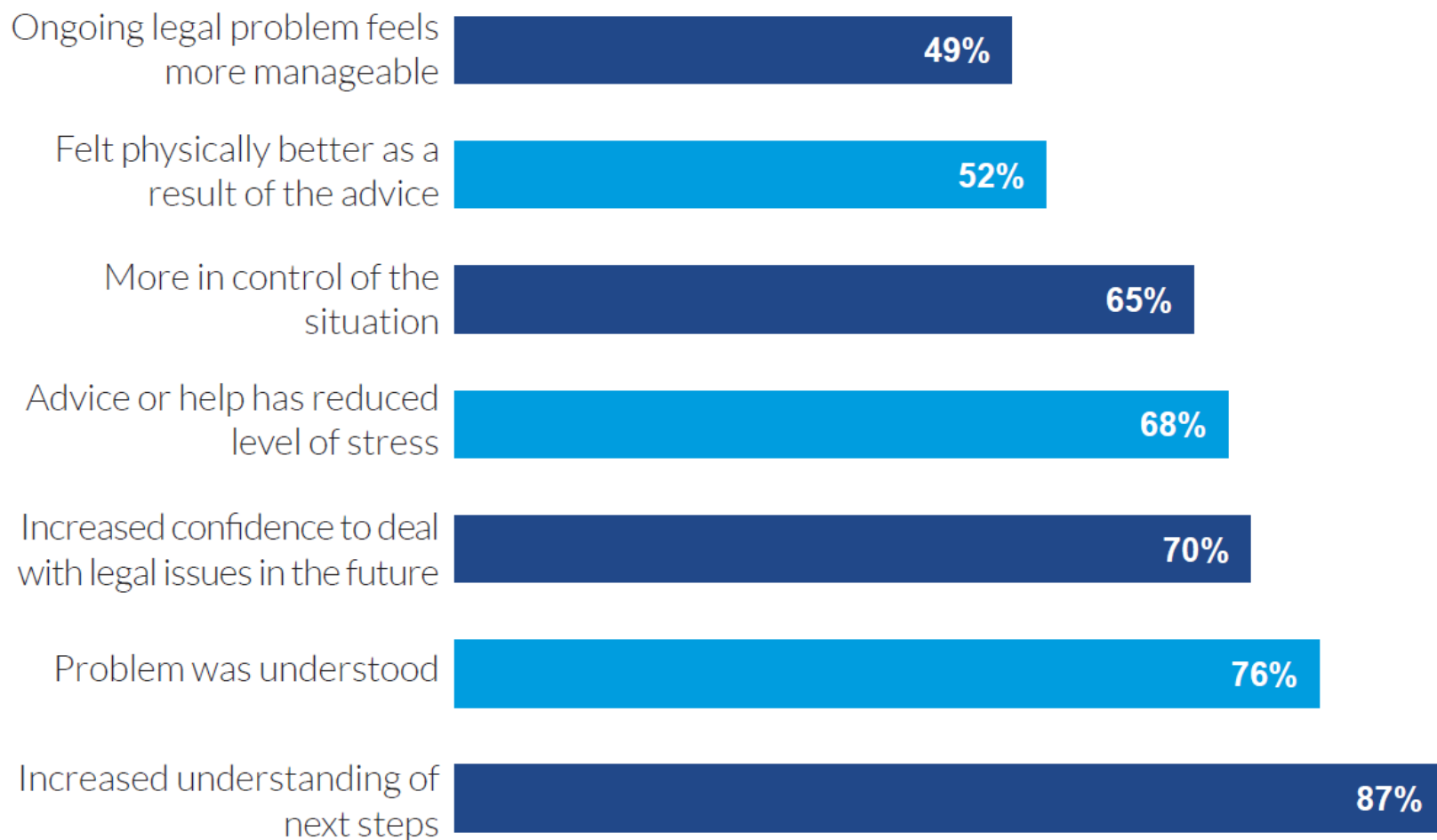
and really alleviated a lot of the anxiety

It was a really uplifting experience, to be able to talk to specialists in both fields



Client feedback themes – capability and wellbeing

Figure 15: Impact of advice – capability and wellbeing



Capability and Confidence

I thought what I was doing was right, but I just needed the legal terminology explaining, and they did that; they clarified that for me.

This improved understanding leaves many people feeling more legally empowered. Legal empowerment can have a lasting positive effect.

(The biggest impact has been) clarity for us - it was very stressful not understanding our situation, and now we do. It's still pretty stressful, it's not great, but it's been fantastic to know and to be given that clarity.

They gave me confidence to fight for my rights.

Impact and wellbeing

(The biggest impact has been) I think the guidance on different paths and knowing what I can do in regards to my options. It's up to me now to choose what way I want to go.

I would say I came into the law centre thinking my situation was pretty complex but by the time I left it was clear which path I needed to take.

The biggest impact has been peace of mind, to be honest. I was facing a very difficult situation at work and a tricky situation with my landlord. In both situations, being able to speak thoroughly about all the details of the case and the framework and context of it has alleviated a lot of the stress of the situation, and the specialist knowledge was very, very good.

Shelley's story

Shelley's story

Shelley found that her right to live in her home was called into question following her partner's death. A dispute with her late partner's children over his will also left her feeling deeply unsettled. Shelley already knew about the clinic, so was able to go straight there to seek advice about her housing rights. She had two appointments, after which she understood what her next steps were. She appreciated both the advice, and the way in which it was provided. The most useful part of the advice was being told that she could go on living in the house. She now has the support of one of the children, and the problem feels a lot more manageable.



Before

This made me really unsure of where I fitted in.



During

Everybody was very professional and the appointment was on time.



After

The fact that.. this house is my home, and I can use it as my home... I can change the locks on my door, if I need to.



Policy work - using evidence



LawWorks Consultation response BEIS/Taylor Review: Employment Status

Introduction

LawWorks is pleased to respond to the government's Employment Status Consultation which seeks views on and develops the recommendations in the "Taylor Review of Modern Working Practices".

In a rapidly changing labour market there is growing demand for greater transparency, clarity, information and advice about different work practices and the rights and obligations that they accrue. Building on our previous submission to the Taylor review, we are limiting our response principally to issues concerning transparency of employment status and the legal framework, the protection of employment rights and access to an effective system of redress and adjudication. We also make some observations and comments concerning enforcement, which are subject to a parallel Consultation on enforcement of employment rights.

About LawWorks

LawWorks is the operating name of the Solicitors Pro Bono Group, an independent charity which offers a range of consultancy and brokerage services to bring together lawyers and law students, who are prepared to give their time without charge, and individuals and community groups in need of legal advice and support. LawWorks has 20 years of experience of supporting pro bono clinics and has seen the impact that good quality, timely legal advice on clients' wellbeing in dealing with employment contracts and other related legal and money matters. Several pro bono clinics provide specialist advice and other related employment law matters, with others providing initial legal advice and support on employment law matters.

LawWorks also runs an employment law pro bono case-work project (on a "secondary specialisation" basis) which is currently focused on unpaid wages claims. These type of cases are likely to widen in the near future. The project facilitates an inward referral network, assesses need and matches volunteer lawyers with clients in need. Volunteer lawyers provide free advice and assistance, with LawWorks providing training, supervision and professional indemnity insurance to support pro bono volunteers.

Being able to understand the law and access legal advice to deal with every day matters like employment disputes really matters. For example, following a client outcome assessment on a sample of clients last year across the network of independent clinics that LawWorks supports (receiving advice on a range of legal matters), 93% felt that they had a better understanding of the legal matter on which they were helped and 81% felt less stressed after getting the advice. Over 17% of individual advice provided by clinics in the LawWorks Clinics Network (April 2016 to March 17) was on employment law matters, with a significant increase in the number of enquiries compared with the previous year.

LawWorks' overall view on employment rights

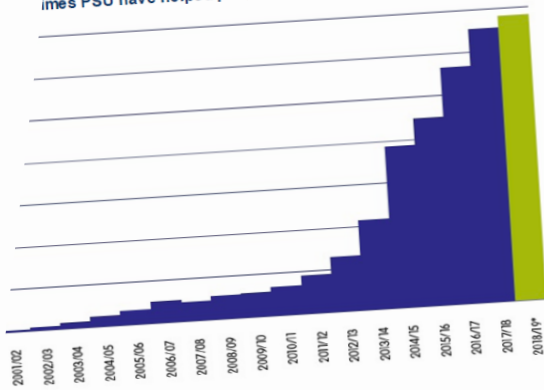
We welcome this consultation which demonstrates that Government are treating the issue of employment rights in the new economy seriously, taking forward the recommendations of the Taylor review. Recent evidence from Citizens Advice shows that 4.5 million people in the UK are in insecure work including 800,000 with either zero-hours or agency contracts, 1.1 million with temporary contracts and over 2.3 million working variable shift patterns. The Citizens Advice briefing concludes that "despite record employment rates, the persistence of insecure work leaves many households at risk of economic shocks and unable to plan for

Civil justice and family justice

Progress has been made including online divorce applications, the 'Online court' and online claims portals that can be used by claimant and defendant. Some court facilities work best for straightforward cases, and the system as a whole is better to the growth in the number of litigants in person with more

litigants in person have always been a feature of the civil and family justice system. The rising numbers seen over the past few years have been partly due to significant restrictions in the scope of legal aid for family and civil law issues. The increased demand for other forms of court-based support for litigants in person, the fact that the Personal Support Unit (PSU) has been dealing with a significant number of enquiries every year, increasing from around 5,000 in 2010 to nearly 70,000 in

Number of times PSU have helped people per year



Estimated figure based on steady growth across all PSUs

LawWorks Submission to the Justice Select Committee Inquiry on Courts and Tribunal Reform

Analysis of the last set of CSJS panel data from 2012 showed 32% of litigants having reported experiencing one or more legal problems in the 18 months, rising to 43% in the previous 36 months, or over 27 million civil legal problems arising over 3 years. The most common problems concerned anti-social behaviour, consumer issues, employment and money. Problems concerning children (including anti-social law children issues), relationship breakdown, domestic violence, clinical negligence, education and employment were most often severe. Even allowing for differences of survey methods, all the data trends point towards the scale of legal problems that needs to be addressed, and the evidence around the typology and prevalence of legal problems points towards significant areas of unmet need in social

these unmet needs which continue to drive demand for access to free legal services. This is evidenced by the increased demand on pro bono services and the availability of publicly legal funded help was so significantly reduced since LASPO. The LawWorks Clinic network's annual clinics reports have shown a year on year increase in clinic activity and the number of enquiries at clinics. Between April 2014 and March 2015, there were 43,000 enquiries at clinics in the period, a 55% on the previous year. Between April 2016 and March 2017, there were 53,000 individual enquiries, a 24% increase on the previous year. It is important to note though that most enquiries are for one-off advice, rather than end-to-end resolution. The number of pro bono lawyers, and whilst secondary specialisation in some areas of law, under these programmes is, and can only be, small compared to the legal aid reforms.

The Bono Unit (BPBU) have seen similar levels of increased demand. They received 2274 applications for help, over 1000 more than the previous year. The average number of enquiries received yearly pre LASPO was 1000. The average number of enquiries received yearly since LASPO has been 65% higher than the pre-LASPO years; with the highest rises in immigration and family law.

29. Both LawWorks and the Bar Pro Bono Unit participate in the Litigants in Person Support Strategy, and our partner agencies have also reported increased in demands for their services. The Personal Support Unit (PSU) for example have reached a cumulative milestone of 300,000 contacts through their expanding services, 80% of which took place post LASPO. In 2014, PSU provided practical and

Case studies in policy

nearly trebled since before LASPO, followed by money claims, and housing. Most PSU centres report that the majority of their clients are digitally excluded.

Vulnerability

A key concern about the civil and family justice modernisation programmes has been the absence of a cross-cutting vulnerability strategy, recognising just how intimidating vulnerable litigants in person find the legal process to be. Whilst vulnerability is highly contextual, consideration of vulnerability should be embedded across all pathways in civil and family justice, with early alerts for judiciary and court staff. The following case study summaries from the PSU are illustrative:

Kathryn came into the PSU's offices as she needed help filling out an application for emergency child arrangements for her nine-year-old daughter. Both Kathryn and her daughter were struggling with severe mental health difficulties including depression and anxiety, which were worse when her daughter was attending a weekly contact session with her father. The PSU helped Kathryn to complete the correct forms, and volunteer then went with her to the emergency hearing in court. During the hearing Kathryn was extremely distressed. The judge granted an interim order for Kathryn's daughter to stay with her whilst they looked for counselling to help with their mental health issues.

Michaela came to the PSU in a very distressed state, having never been in court before. She was seeking a non-molestation order against her ex-husband who had been sending her abusive messages, showing up at her house and threatening her. Her mental health had deteriorated significantly; she was very nervous in the court building and worried about having to come face to face with her ex-husband. The PSU's intervention led to the judge deciding to call Michaela and her ex-husband into court at separate times.

Staffing

By March 2023, HMCTS expects to employ 5,000 fewer full-time equivalent staff compared to 2016 levels. We have significant concerns about the impact of far fewer front-counter staff. For example, Wandsworth County Court initially reduced public counter opening hours and then



Submit!!!

Submit a case study

View

Edit

Manage display

Revisions

Content Queue

Clone content



Describe the client's legal problem

Please give a description of the client's legal problem

Describe the underlying issues

e.g. dysfunctional bureaucracy, systemic service failure, a chaotic home life, a mental health problem

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